

EXHIBIT A

**IN THE SUPERIOR COURT OF CLAYTON COUNTY
STATE OF GEORGIA**

AMANDA STINSON,

Plaintiff,

v.

NAVY FEDERAL CREDIT UNION and
EXPERIAN INFORMATION SOLUTIONS, INC.,

Defendants.

CIVIL ACTION NO.:

2024CV03833-10

COMPLAINT

Plaintiff Amanda Stinson (hereinafter “Plaintiff”), by and through her attorneys, the Law Offices of Robert S. Gitmeid & Associates, PLLC, by way of Complaint against the Defendants, Navy Federal Credit Union (hereinafter “NFCU”) and Experian Information Solutions, Inc. (hereinafter “Experian”) (collectively “Defendants”), hereby alleges as follows:

INTRODUCTION

1.

This is an action for damages brought by an individual consumer for Defendants’ violations of the Fair Credit Reporting Act, 15 U.S.C. § 1681, et seq. (hereinafter the “FCRA”) and other claims related to unlawful credit reporting practices. The FCRA prohibits credit furnishers and consumer reporting agencies (hereinafter “CRA” or “CRAs”) from falsely and inaccurately reporting consumers’ credit information.

PARTIES

2.

Plaintiff is an adult citizen of the State of Georgia, residing in Ellenwood, Clayton County, Georgia.

3.

Plaintiff is a "consumer" as defined by 15 U.S.C. § 1681a(c) of the FCRA.

4.

NFCU is a federal credit union and “furnisher” of consumer credit information as that term is used in 15 U.S.C. § 1681s-2 of the FCRA.

5.

NFCU maintains its principal office in the State of Virginia and regularly conducts business in the State of Georgia.

6.

Experian is a corporation that engages in the business of maintaining and reporting consumer credit information. Experian is a “consumer reporting agency” as defined in 15 U.S.C. § 1681a(f) of the FCRA.

7.

Experian maintains its principal office in the State of California and regularly conducts business in the State of Georgia. Experian is one of the largest CRAs in the world.

JURISDICTION AND VENUE

8.

This Court holds jurisdiction over Experian pursuant to O.C.G.A. § 9-10-91 because (1) Experian transacted business with NFCU and Plaintiff in relation to the acts and/or omissions at issue; (2) Experian's acts and/or omissions at issue were committed in the State of Georgia by way of Experian's interactions with Plaintiff; and (3) Plaintiff's damages in this matter occurred in the State of Georgia by way of Experian's inaccurate and detrimental credit reporting of her NFCU account.

9.

This Court holds jurisdiction over NFCU pursuant to O.C.G.A. § 9-10-91 because (1) NFCU transacted business with Experian and Plaintiff in relation to the acts and/or omissions at issue; (2) NFCU's acts and/or omissions at issue were committed in the State of Georgia by way of NFCU's credit reporting interactions with Plaintiff; and (3) Plaintiff's damages in this matter occurred in the State of Georgia by way of NFCU's inaccurate and detrimental credit reporting of her NFCU account.

10.

Venue is proper in this Court pursuant to O.C.G.A. § 9-10-93 because a substantial part of the business was transacted and the acts and/or omissions in this matter, or some part thereof, occurred within Clayton County, Georgia; and Plaintiff is domiciled in Clayton County, Georgia.

FACTUAL ALLEGATIONS

11.

NFCU issued a credit account ending in 0352 to Plaintiff. The NFCU account was routinely reported on Plaintiff's consumer credit report.

12.

The consumer credit report at issue is a written communication of information concerning Plaintiff's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living which is used for the purpose of serving as a factor in establishing the consumer's eligibility for credit to be used primarily for personal, family, or household purposes as defined by 15 U.S.C. § 1681a(d)(1) of the FCRA.

13.

On or about August 15, 2023, Plaintiff and Brock & Scott, PLLC, on behalf of NFCU, entered into a settlement agreement for the above-referenced account. Pursuant to the terms of the settlement, Plaintiff was required to make one lump sum payment totaling \$2,650.00 to settle and close her NFCU account.

14.

Plaintiff, via her debt settlement representative, timely made the requisite settlement payment. A "paid in full" letter evidencing Plaintiff's completion of the settlement agreement and settlement payment is attached hereto as **Exhibit A**.

15.

However, months later, Plaintiff's NFCU account continued to be negatively reported.

16.

In particular, on a requested credit report dated February 29, 2024, Plaintiff's NFCU account was reported with a status of "Charge Off," a balance of \$1,404.00, and an amount past due of \$1,404.00. The relevant portion of Plaintiff's February 2024 credit report is attached hereto as **Exhibit B**.

17.

This tradeline was inaccurately reported. As evidenced by the enclosed settlement documents and information, the account was settled for less than the full balance and must be reported as settled with a balance of \$0.00.

18.

On or about March 8, 2024, Plaintiff, via counsel, notified the national CRAs directly, including Experian, of a dispute with completeness and/or accuracy of the reporting of Plaintiff's NFCU account. A copy of Plaintiff's dispute letter is attached hereto as **Exhibit C**.

19.

Therefore, Plaintiff disputed the accuracy of the derogatory and inaccurate information reported by NFCU to Experian via certified mail in accordance with 15 U.S.C. § 1681i of the FCRA.

20.

Following the completion of the dispute period allotted under the FCRA, including in April 2024 and September 2024, Plaintiff requested updated credit reports and found that Defendants failed to make the required corrections to her NFCU account. The relevant portions of Plaintiff's April 2024 and September 2024 credit reports are attached hereto as **Exhibit D**.

21.

Upon information and belief, neither Experian nor any other CRA notified NFCU of the dispute by Plaintiff in accordance with the FCRA. Alternatively, Experian or another CRA did notify NFCU of Plaintiff's dispute, but Defendants failed to properly investigate and delete the tradeline at issue or failed to properly update the tradeline on Plaintiff's credit reports.

22.

If Defendants had performed a reasonable investigation of Plaintiff's dispute, then Plaintiff's NFCU account would have been updated to reflect a settled status with a balance of \$0.00.

23.

Although NFCU has promised through its subscriber agreements and/or contracts to accurately update consumer accounts, NFCU has nonetheless intentionally, willfully, recklessly, and/or negligently failed to follow this requirement, as well as the requirements set forth under the FCRA. This has resulted in the inaccurate and detrimental information remaining on Plaintiff's credit report.

24.

Defendants failed to properly maintain and failed to follow reasonable procedures to assure maximum possible accuracy of Plaintiff's credit information and credit reports, concerning the NFCU account in question, thus violating the FCRA. These violations occurred before, during, and after the dispute process began.

25.

At all times pertinent hereto, Defendants were acting by and through their agents, servants, and/or employees, who were acting within the scope and course of their employment, and under the direct supervision and control of the Defendants herein.

26.

At all times pertinent hereto, the conduct of Defendants, as well as that of their agents, servants, and/or employees was intentional, willful, reckless, negligent, and/or in wanton disregard for federal law and the rights of the Plaintiff herein.

CAUSE OF ACTION
FAIR CREDIT REPORTING ACT

27.

Plaintiff reasserts and incorporates herein by reference all facts and allegations set forth above.

28.

Experian is a “consumer reporting agency,” as codified at 15 U.S.C. § 1681a(f).

29.

NFCU is an entity that, regularly and in the course of business, furnishes credit information to one or more CRAs about its transactions and/or experiences with any consumer and therefore constitutes a “furnisher,” as codified at 15 U.S.C. § 1681s-2.

30.

NFCU is reporting inaccurate credit information concerning Plaintiff to one or more CRAs as defined by 15 U.S.C. § 1681a of the FCRA.

31.

Plaintiff notified the national CRAs directly, including Experian, regarding a dispute on the NFCU account's completeness and/or accuracy, as reported.

32.

Upon information and belief, NFCU failed to complete an investigation of Plaintiff's written dispute and provide the results of an investigation to Plaintiff and the CRAs within the 30-day statutory period as required by 15 U.S.C. § 1681s-2(b).

33.

NFCU failed to promptly modify the inaccurate information on Plaintiff's credit reports in violation of 15 U.S.C. § 1681s-2(b).

34.

NFCU failed to correct and update Plaintiff's inaccurate credit information with all CRAs in violation of 15 U.S.C. § 1681s-2(b)(1)(D).

35.

Experian failed to delete information found to be inaccurate, reinserted the information without following the FCRA, and/or failed to properly investigate Plaintiff's dispute.

36.

Experian failed to maintain and failed to follow reasonable procedures to assure maximum possible accuracy of Plaintiff's credit reports, concerning the NFCU account in question, thus violating 15 U.S.C. § 1681e(b).

37.

As a result of the above violations of the FCRA, Plaintiff suffered actual damages in one or more of the following categories: decreased credit score, decreased credit capacity, denial of credit, embarrassment and emotional distress caused by the inability to obtain financing for everyday expenses, increased interest rates, and other damages that may be ascertained at a later date.

38.

As a result of the above violations of the FCRA, Defendants are liable to Plaintiff for actual damages, punitive damages, statutory damages, attorneys' fees, and costs.

CLAIM FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that judgment be entered against Defendants as follows:

- (a) That judgment be entered against Defendants for actual damages pursuant to 15 U.S.C. § 1681n, or alternatively, 15 U.S.C. § 1681o;
- (b) That judgment be entered against Defendants for statutory damages pursuant to 15 U.S.C. § 1681n;
- (c) That judgment be entered against Defendants for punitive damages pursuant to 15 U.S.C. § 1681n;
- (d) That the Court award costs and reasonable attorneys' fees pursuant to 15 U.S.C. § 1681n, or alternatively, 15 U.S.C. § 1681o; and
- (e) That the Court grant such other and further relief as may be just and proper.

DEMAND FOR JURY TRIAL

Pursuant to O.C.G.A. § 9-11-38, Plaintiff demands a trial by jury in this action of all issues so triable.

Dated: September 26, 2024

Respectfully submitted,

**Law Offices of Robert S. Gitmeid
& Associates, PLLC**

/s/ LaTonya Sims

By: LaTonya Sims, Esq.
Georgia Bar No. 711135
100 Galleria Parkway, Suite 1570
Atlanta, Georgia 30339
Tel: (770) 874-2445
Email: LaTonya.S@gitmeidlaw.com
Counsel for Plaintiff Amanda Stinson

EXHIBIT A

4787

BROCK & SCOTT, PLLC

THOMAS E. BROCK*
GREGORY A. SCOTT*

1315 WESTBROOK PLAZA DRIVE
WINSTON-SALEM, NC 27103
336-354-0110, 888-461-7908
FAX 336-354-1588

MON-FRI 8:30AM - 5:30PM ET

*Licensed in NC

ROCKVILLE, MD
VIRGINIA BEACH, VA
WINSTON-SALEM, NC
COLUMBIA, SC
ATLANTA, GA
FRANKLIN, TN
FT LAUDERDALE, FL
FARMINGTON HILLS, MI

August 28, 2023

AMANDA R STINSON

Creditor: Navy Federal Credit Union
Account Number: *****0352
Our Reference Number: [REDACTED] 7227

Dear AMANDA R STINSON:

We have received your total payment of **\$2,650.00** on the above referenced account. This account is now settled and has been closed with receipt of this amount. Our firm will file the necessary paperwork to dismiss the lawsuit that was filed against you on behalf of the creditor in case #2023CM13071, in Clayton County. If you have any questions, please feel free to contact us directly.

Sincerely,

BROCK & SCOTT, PLLC
Toll Free: (888) 461-7908 Fax: (336) 354-1588
E-mail: Collections@brockandscott.com

This communication is from a debt collector.

EXHIBIT B

Credit report

Provided by **EQUIFAX**

Report date: Feb 29, 2024



Personal info

Reported names

Amanda R Stinson

DOB

SSN

Employment info

Addresses

Date reported



Account summary



Accounts



Credit cards



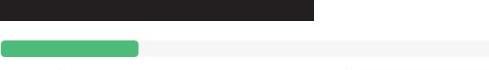
NAVY FEDERAL CU Reported: Jan 31, 2024	\$1,404.00 Closed
Overview  Balance: \$1,404.00 	
Payment history 	
Amount Past Due	\$1,404.00
Account details	
Account Number	 0352
Account Status	Charge Off
Open Date	
Last Activity	
Type	Credit Card
Responsibility	Individual
Remarks	Charged Off Account, Account Closed By Credit Grantor, Fixed Rate
Times 30/60/90 Days Late	
Months Reviewed	
Term Source Type	
High Balance	
High Credit 	
Creditor information	
NAVY FEDERAL CU ONE SECURITY PLACE MERRIFIELD, VA 22119 (800) 336-3333	



EXHIBIT C



The Law Offices of
ROBERT S. GITMEID & ASSOC., PLLC

March 8, 2024

VIA CERTIFIED MAIL

Transunion Consumer Solutions
P.O. Box 2000
Chester, PA 19016

Equifax Information Services, LLC
P.O. Box 740256
Atlanta, GA 30374-0256

Experian
P.O. Box 4500
Allen, TX 75013

Re:	Amanda Stinson
Creditor:	Navy Federal Credit Union
Collection Agency:	Brock & Scott, PLLC
Account No.:	Ending in 0352
SSN:	Ending in [REDACTED]
Address:	[REDACTED]

Dear Sir and/or Madam,

Please be advised that this office was retained to represent Amanda Stinson with respect to her claims for violations under the Fair Credit Reporting Act, 15. U.S.C. § 1681, et seq. (the “FCRA”) and other claims related to unlawful credit reporting practices.

On or about August 15, 2023, Ms. Stinson and Brock & Scott, PLLC on behalf of Navy Federal Credit Union (“Navy FCU”) entered into a settlement agreement for the above-referenced account. A recording of the settlement agreement is available upon request. Pursuant to the terms of the settlement, Ms. Stinson was required to make a lump sum payment totaling \$2,650.00 to settle and close her Navy FCU account. Ms. Stinson, via her debt settlement representative, timely made the requisite settlement payment. A Paid in Full letter is attached herein for your review.

However, many months later, Ms. Stinson’s account continues to be negatively reported. In particular, on a requested credit report dated February 29, 2024, Ms. Stinson’s account was reported with a status of “CHARGE OFF”, a balance of \$1,404.00 and a past due balance of \$1,404.00. The relevant portion of Ms. Stinson’s credit report is attached herein for your review. The trade line was inaccurately reported. As evidenced by the enclosed documents, the account was settled in full and has a balance of \$0.00.

Please take notice that this dispute is made pursuant to 15 U.S.C. § 1681i under the FCRA. Therefore, if this inaccuracy is not corrected within thirty (30) days, we will pursue further legal process on behalf of our client.

Thank you for your prompt attention to this important matter.

Very truly yours,

Melissa Rodriguez
Paralegal
The Law Offices of Robert S. Gitmeid
& Associates, PLLC
Melissa.R@gitmeidlaw.com
(866) 249-1137

THOMAS E. BROCK*
GREGORY A. SCOTT*

BROCK & SCOTT, PLLC
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WINSTON-SALEM, NC
COLUMBIA, SC
ATLANTA, GA
FRANKLIN, TN
FT LAUDERDALE, FL
FARMINGTON HILLS, MI

August 28, 2023

AMANDA R STINSON
[REDACTED]

Creditor: Navy Federal Credit Union
Account Number: *****0352
Our Reference Number: [REDACTED] 7227

Dear AMANDA R STINSON:

We have received your total payment of **\$2,650.00** on the above referenced account. This account is now settled and has been closed with receipt of this amount. Our firm will file the necessary paperwork to dismiss the lawsuit that was filed against you on behalf of the creditor in case #2023CM13071, in Clayton County. If you have any questions, please feel free to contact us directly.

Sincerely,

BROCK & SCOTT, PLLC
Toll Free: (888) 461-7908 Fax: (336) 354-1588
E-mail: Collections@brockandscott.com

This communication is from a debt collector.
[REDACTED]



Credit report

Provided by **EQUIFAX**

Report date: Feb 29, 2024



Personal info

Reported names

Amanda R Stinson

DOB

SSN

Employment info

Addresses

Date reported



Account summary



Accounts



Credit cards



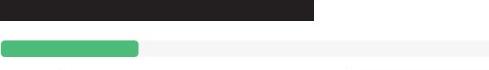
NAVY FEDERAL CU Reported: Jan 31, 2024	\$1,404.00 Closed
Overview  Balance: \$1,404.00 	
Payment history 	
Amount Past Due	\$1,404.00
Account details	
Account Number	 0352
Account Status	Charge Off
Open Date	
Last Activity	
Type	Credit Card
Responsibility	Individual
Remarks	Charged Off Account, Account Closed By Credit Grantor, Fixed Rate
Times 30/60/90 Days Late	
Months Reviewed	
Term Source Type	
High Balance	
High Credit 	
Creditor information	
NAVY FEDERAL CU ONE SECURITY PLACE MERRIFIELD, VA 22119 (800) 336-3333	



EXHIBIT D

Credit report

[TransUnion](#) [Equifax](#) [Experian](#) [All bureaus](#)

Bureau

VantageScore 3.0

Report date

Apr 17, 2024

Apr 17, 2024

Apr 17, 2024

Personal info

Reported names

Amanda Ruth Stinson

Amanda R Stinson

Amanda R Stinson

Amanda Ruth Jonesstinson

DOB

SSN

Employment info

Addresses

Account summary

Bureau

Total accounts

Open accounts

Closed accounts

Delinquent

Derogatory

Collections

Balances

Payments

Public records

Inquiries (2 years)

Accounts

We gathered all of the accounts listed on your report for you. Click on any account to learn more about your history and how to plan for tomorrow.

Bureau

Credit cards



Hide details	Feb 29, 2024	\$0.00 NAVY FCU	Mar 31, 2024	\$1,404.00 NAVY FEDERAL CR UNION
Account details			Account details	
Account Number	XXXX		Account Number	035X
Date Opened	Dec 3, 2015		Date Opened	Dec 3, 2015
Last Activity	Feb 29, 2024		Last Activity	Jan 1, 2023
Original Creditor			Original Creditor	
Monthly Payment	\$0.00		Monthly Payment	\$0.00
Term Source Type			Term Source Type	
Current Rating	Collection/Charge-off		Current Rating	Collection/Charge-off
Status	Closed		Status	Charge Off
Type	Individual		Type	Individual
High Balance	\$5,194.00		High Balance	
Unpaid Balance	\$0.00		Unpaid Balance	\$1,404.00
Highest Adverse Rating	Collection/Charge-off		Highest Adverse Rating	Collection/Charge-off

Most Recent Adverse Collection/Charge

Rating

Collection/Charge

off

Comments Settled - Less Than Full Balance

Account details

No History Is Available

Most Recent Adverse Collection/Charge

Rating

Unpaid Balance Reported As

Comments Loss By Credit Grantor, Account

Closed At Credit Grantor's

Request

Account detailsYou've Made 83% Of Payments For This
Account On Time.**Collection agency**

NAVY FCU

Jan Feb Mar Apr May Jun

2024 N/A N/A CC

Jul Aug Sep Oct Nov Dec

Account ID:
225c952c0f56478ef6dffad4a6c1f591

2023 Jan Feb Mar Apr May Jun

CC CC CC CC CC CC

Jul Aug Sep Oct Nov Dec

CC CC N/A N/A N/A N/A

2022 Jan Feb Mar Apr May Jun

OK OK OK OK OK OK

Jul Aug Sep Oct Nov Dec

OK 30 60 90 120 120

2021 Jan Feb Mar Apr May Jun

OK OK OK OK OK OK

Jul Aug Sep Oct Nov Dec

OK OK OK OK OK OK

2020 Jan Feb Mar Apr May Jun

OK OK OK OK OK OK

Jul Aug Sep Oct Nov Dec

OK OK OK OK OK OK

2019 Jan Feb Mar Apr May Jun

OK OK OK OK OK OK

Jul Aug Sep Oct Nov Dec

OK OK OK OK OK OK

2018 Jan Feb Mar Apr May Jun

OK OK OK OK OK OK

Jul Aug Sep Oct Nov Dec

OK OK OK OK OK OK

2017 Jan Feb Mar Apr May Jun

OK OK OK OK OK OK

Jul Aug Sep Oct Nov Dec

OK OK OK OK OK OK

OK Paid on time

30 30 days past due

60 60 days past due

90 90 days past due

120 120 days past due

150 150 days past due

BR Bankruptcy

RF Repossession or foreclosure

CC Collection or charge off

VS Voluntary surrender

N/A No data available

Collection agency

NAVY FEDERAL CR UNION

820 FOLLIN LN SE

VIENNA, VA 22180

(888) 842-6328

Account ID:

f73e6fb3fce53008492b71293cc0e057

Credit report

[TransUnion](#) [Equifax](#) [Experian](#) [All bureaus](#)

Bureau

VantageScore® 3.0

Report date

Sep 24, 2024

Sep 24, 2024

Sep 24, 2024

Personal info

Reported names

Amanda Ruth Stinson

Amanda R Stinson
Amanda Ruth Jonesstinson

Amanda R Stinson

DOB

SSN

Employment info

Addresses

Account summary

Bureau

Total accounts

Open accounts

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Delinquent

Derogatory

Collections

Balances

Payments

Public records

Inquiries (2 years)

Accounts

We gathered all of the accounts listed on your report for you. Click on any account to learn more about your history and how to plan for tomorrow.

Bureau

Credit cards

Hide Details	Feb 29, 2024	\$0.00 NAVY FCU	Aug 31, 2024	\$1,404.00 NAVY FEDERAL CR UNION		
Account details		Account details				
Account Number	[REDACTED] XXXX	Account Number	[REDACTED]	035X		
Date Opened	Dec 3, 2015	Date Opened	[REDACTED]	Dec 3, 2015		
Last Activity	Feb 29, 2024	Last Activity	[REDACTED]	Jan 1, 2023		
Original Creditor		Original Creditor				
Monthly Payment	\$0.00	Monthly Payment		\$0.00		
Term Source Type		Term Source Type				
Current Rating	Collection/Charge-off	Current Rating		Collection/Charge-off		
Status	Closed	Status		Charge Off		
Type	Individual	Type		Individual		
High Balance	\$5,194.00	High Balance				
Unpaid Balance	\$0.00	Unpaid Balance		\$1,404.00		
Highest Adverse Rating	Collection/Charge-off	Highest Adverse Rating		Collection/Charge-off		
Most Recent Adverse Rating	Collection/Charge-off	Most Recent Adverse Rating		Collection/Charge-off		
Comments	Settled - Less Than Full Balance	Comments	Unpaid Balance Reported As A Loss By Credit Grantor, Account Closed At Credit Grantor's Request			
Account details		Account details				
No History Is Available						
Collection agency		Collection agency				
You've Made 77% Of Payments For This Account On Time.						

Account ID:

Jan	Feb	Mar	Apr	May	Jun
N/A	N/A	CC	CC	CC	CC

CC CC

CC	CC	CC	CC	CC	CC
Jul	Aug	Sep	Oct	Nov	Dec
CC	CC	N/A	N/A	N/A	N/A

2022	Jan	Feb	Mar	Apr	May	Jun
	✓	✓	✓	✓	✓	✓

	Jul	Aug	Sep	Oct	Nov	Dec
2021	Jan	Feb	Mar	Apr	May	Jun
	✓	30	60	90	120	120

Jul Aug Sep Oct Nov Dec

2020	Jan	Feb	Mar	Apr	May	Jun
	✓	✓	✓	✓	✓	✓
	Jul	Aug	Sep	Oct	Nov	Dec

✓	✓	✓	✓	✓	✓	
2019	Jan	Feb	Mar	Apr	May	Jun
✓	✓	✓	✓	✓	✓	✓

	Jul	Aug	Sep	Oct	Nov	Dec
	✓	✓	✓	✓	✓	✓
2018	Jan	Feb	Mar	Apr	May	Jun

✓	✓	✓	✓	✓	✓
Jul	Aug	Sep	Oct	Nov	Dec
✓	✓	✓	✓	✓	✓

2017	Jan	Feb	Mar	Apr	May	Jun
	Jul	Aug	Sep	Oct	Nov	Dec

 Paid on time

- 30** 30 days past due
- 60** 60 days past due
- 90** 90 days past due

- 120** 120 days past due
- 150** 150 days past due

- BR** Bankruptcy
- RF** Repossession or foreclosure
- CC** Collection or charge off

VS	Voluntary surrender
N/A	No data available

Collection agency

NAVY FEDERAL CR UNION
820 FOLLIN LN SE
VIENNA, VA 22180
(888) 842-6328

Account ID:

